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IN THE

Supreme Court of the United States

OCTOBER TERM, 1965

No. 1173

HARRY R. HUGHES AND JOHN-CLARENCE NORTH,
Petitioners,

v.

W. F. STRONG, ET AL.,
Respondents.

MOTION TO ADVANCE ORAL ARGUMENT AND TO DISPENSE WITH PRINTING OF THE RECORD

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Petitioners respectfully move for an Order, in the event Certiorari is granted

1. Advancing oral argument for hearing during the 1965 Term, and

2. Dispensing with the printing of the Record; and for reasons state:

1. The petition for a writ of certiorari in this matter was filed on April 1, 1966, less than thirty days after filing of the modified order and opinions below. Petitioners are advised that under this Court's calendar, if certiorari is granted, the case will not be reached for oral argument in ordinary course until the 1966 term.

2. The instant matter involves the constitutionality of the legislatively preferred plan for reapportionment of the Maryland Senate. The 1966 primary election in Maryland is scheduled for September 13, 1966. Md. Code (1965 Supp.), Art. 33, § 62(a). The candidates' filing deadline is midnight, July 5, 1966. Md. Code (1957 ed.), Art. 33, § 56. Should this Court conclude that the judgment of the Court of Appeals of Maryland should be reversed, the decision of this Court on the merits cannot be made effective for the 1966 elections in Maryland unless argument is accelerated.

3. Petitioners believe the instant matter can be fully and adequately briefed this Term. Counsel for Respondents have been intimately involved with reapportionment litigation for the last six years. The case has been fully briefed in both courts below. Both the parties and the courts below have expedited consideration of this matter at all of its stages. Argument was heard in the trial court barely three weeks after petitioners' intervention and before the Court of Appeals twelve days after the entry of the trial court's Decree.

4. No testimony was taken in the trial court. The record in the current proceedings consists only of the following:

1. The statutes involved
2. The opinions of the courts below
3. The report of a Maryland reapportionment study commission
4. Certain statistical tables.

Items 1 and 2 have been printed in full in Petitioners' Appendix. The relevant portion of item 3 is printed in Petitioners' Appendix. Most of the tables encompassed by item 4 are either printed in Petitioners' Appendix or

can be set forth in Respondents' Answer to the Petition. There would therefore seem to be no pressing need for the printing of a further record.

Respectfully submitted,

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GEORGE W. LIEBMANN,
Counsel for Petitioners.